



Article 5. Requirements Applicable to the Operation of K-12 Schools Hazardous Waste Collection, Consolidation, and Accumulation Facilities (SHWCCAF) Deemed to Have a Permit by Rule

§67450.40. Scope and Purpose.

- (a) Scope. This article applies to:
- (1) Any school district, or other school organization or agency, that operates a K - 12 schools hazardous waste collection, consolidation, and accumulation facility (SHWCCAF) deemed to have a permit by rule pursuant to section 66270.60(d)(7); and
 - (2) Hazardous waste generated by K -12 schools if the waste will be managed at a SHWCCAF deemed to have a permit by rule.
- (b) Purpose: This article provides for an alternative offsite hazardous waste management regulatory option that:
- (1) Establishes the mechanisms and requirements for offsite collection, consolidation, and accumulation under permit by rule of hazardous wastes generated by the routine operation and maintenance of K -12 schools;
 - (2) Establishes the requirements for hazardous wastes generated by K - 12 schools that are to be sent to an authorized offsite SHWCCAF operated in accordance with this article; and
 - (3) Establishes the requirements for transportation of eligible hazardous wastes generated by K - 12 schools to an authorized offsite SHWCCAF operated in accordance with this article.

NOTE: Authority cited: Sections 25150, 25150.6 and 25200, Health and Safety Code. Reference: Sections 25150, 25150.6, 25161 and 25200, Health and Safety Code.

HISTORY

1. New article 5 (sections 67450.40-67450.50) and section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.41. Definitions.

- (a) For the purpose of this article, the following definitions apply:
- (1) "Certified Unified Program Agency (CUPA)" means the agency certified pursuant to the requirements of Chapter 6.11 of the Health and Safety Code (commencing with section 25404) and Title 27, CCR, Division 1, Subdivision 4, Chapter 1 (sections 15100 through 15170).
 - (2) "Consolidation" means the bulking or combining of the same type of waste into a single container.
 - (3) "Contributing school" means a K - 12 school that sends hazardous wastes generated by the school to a SHWCCAF.
 - (4) "Facility" means the area defined by the operational boundary of the SHWCCAF, including all tanks, containers, or other equipment used to manage hazardous waste.
 - (5) "K - 12 schools" means all public or private schools in which instruction is given through grade 12, or in any one or more of those grades.
 - (6) "Lab pack" means small containers of hazardous waste placed in a sorbent-filled outer drum or container in accordance with the requirements of section 66264.316.
 - (7) "Offsite" means non-schoolyard property in direct control of the SHWCCAF owner or operator that is not accessible to school students or the general public.
 - (8) "Owner or operator" means the school district or other school organization or entity that owns or operates a SHWCCAF deemed to have a permit by rule.
 - (9) "School district" means the entity recognized as the governing entity for a public or private elementary or secondary school, or group of public or private elementary or secondary schools.

NOTE: Authority cited: Section 25150, Health and Safety Code. Reference: Sections 25123.7(b), 25117.1, 25150, 25200 and 25200.10, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.42. Eligible Wastes and Waste Management Restrictions.

- (a) The following hazardous wastes are eligible for management by SHWCCAFs operating pursuant to section 67450.44:
- (1) Non-RCRA hazardous waste as defined in section 66261.101; and
 - (2) RCRA hazardous waste as defined in section 66261.100 if transportation and management of that waste at the SHWCCAF is exempt from, or is not otherwise regulated pursuant to, the federal act.
- (b) Notwithstanding paragraph (a), the following hazardous wastes or management activities are prohibited from authorization under permit by rule pursuant to this article:
- (1) Treatment of hazardous waste at the SHWCCAF;
 - (2) Acceptance at the SHWCCAF of hazardous wastes that exhibit the characteristic of reactivity pursuant to section 66261.23 (including, but not limited to, shock-sensitive or explosive chemical wastes).
 - (3) Acceptance at the SHWCCAF of hazardous wastes not generated by the routine operation or maintenance of a contributing K - 12 school (such as non-routine demolition, construction, or renovation wastes); and
 - (4) Uncontained storage, storage in waste piles and surface impoundments, and land disposal of hazardous

waste at the SHWCCAF.

(c) Except as provided in subsection (d), hazardous wastes generated from school science laboratories, including chemistry, physics, and biology classes, may be managed at a SHWCCAF only if all of the following conditions are met:

(1) At contributing schools:

(A) Science laboratory hazardous wastes, except laboratory specimens preserved in formalin and formaldehyde solutions, are lab packed in accordance with the requirements of section 66264.316 prior to transport to prevent reactions with the contained waste and ensure that incompatible wastes are not placed within the same outer container.

(B) Lab packs containing science laboratory hazardous wastes are marked with the types and volumes of wastes contained in the lab pack and the lab packs are not reopened during transportation to the SHWCCAF.

(2) At the SHWCCAF:

(A) Reopened lab packs containing science laboratory hazardous wastes are repackaged in accordance with the requirements of section 66264.316 to prevent reactions with the contained waste and ensure that incompatible wastes are not placed within the same outer container.

(B) Repackaged lab packs containing science laboratory hazardous wastes are marked with the types and volumes of wastes contained in the lab pack and the lab packs are not reopened during transportation to authorized recycling or disposal facilities.

(C) All lab pack reopening/repackaging shall be conducted within an appropriate spill containment system.

(D) Only the outer lab pack may be reopened/repackaged. Reopening or repackaging of the sealed primary container in which the waste was received is prohibited, unless a waste is eligible for consolidation according to subsection (d), or the primary container is damaged or leaking.

(E) Leaking or damaged lab packs and primary waste containers shall be immediately managed in accordance with the contingency plan and spill response and cleanup procedures required by section 67450.44.

(F) Personnel reopening or repackaging lab packs at the SHWCCAF are trained and work practices are managed in accordance with applicable requirements of the Occupational Safety and Health Administration, California Code of Regulations, title 8, sections 3380 and 5192.

(3) Personnel handling the laboratory hazardous wastes at the contributing school, in transit to the SHWCCAF, or at the SHWCCAF are trained in hazardous waste management and transport in accordance with sections 66265.16 and 67450.47.

(d) Only the following hazardous wastes may be consolidated with wastes of the same type into a single container at a SHWCCAF. Consolidation of these wastes shall be conducted only at the SHWCCAF and not during transport to the SHWCCAF. Each waste or wastestream listed shall be consolidated only with wastes or wastestreams of the same type.

(1) Duplicating fluid;

(2) Compatible formalin or formaldehyde solutions (that meet the conditions of subsection (c) above if generated in association with a school science laboratory);

(3) Compatible laboratory specimens (that meet the conditions of subsection (c) above if generated in association with a school science laboratory);

(4) Compatible solvents;

(5) Water-based or latex paints;

(6) Oil-based paints;

(7) Antifreeze;

(8) Gasoline;

(9) Used oil;

(10) Compatible organic resins, including, but not limited to, roofing tar, caulking and patching compounds, and adhesives; and

(11) Photoimaging solutions that are hazardous wastes solely due to the presence of silver.

(e) A SHWCCAF shall be established only at an offsite, non-schoolyard location where operation of the SHWCCAF is consistent with local land use zoning or land use patterns (e.g., a school district corporation yard).

(f) Wastes shall be accepted at the SHWCCAF only when personnel designated by the SHWCCAF owner or operator are present to accept and sign for the waste.

NOTE: Authority cited: Sections 25150 and 25200, Health and Safety Code. Reference: Sections 25150 and 25200, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

2. Amendment of subsections (c)(1)-(3) and amendment of Note filed 9-23-2003; operative 9-23-2003 pursuant to Government Codes section 11343.4 (Register 2003, No. 39).

§67450.43. Notification Requirements.

(a) The owner or operator of a SHWCCAF shall be deemed to have a permit by rule when the owner or operator complies with subsections (b), (c), (d), (f) and (h) of this section, as applicable, and receives an acknowledgment from the CUPA or authorized agency authorizing operation of the SHWCCAF as required by subsection (e) or (g).

(b) The owner or operator of a SHWCCAF shall submit to the CUPA or authorized agency, in person or by certified mail with return receipt requested, a notification of intent to operate a SHWCCAF. The notification shall consist of the Business Activities page and the Business Owner/Operator Page of the Unified Program Consolidated Form (UPCF)(1/99 revised) found in Title 27, CCR, Division 1, Subdivision 4, Chapter 1, Appendix E (after section 15620), and all of the facility information listed below.

(1) The name, mailing address and telephone number of the SHWCCAF owner or operator;

(2) The facility name, address, legal description of the facility location, and identification number issued by the Department;

(3) The name, title, address, telephone number, facsimile number, and pager number, if applicable, of the facility contact person;

(4) The name, address, and telephone number of the legal owner of the property where the SHWCCAF is located, and a copy of a signed agreement by the property owner acknowledging and allowing operation of the SHWCCAF, if the property owner is different from the SHWCCAF owner or operator,

(5) A listing of all schools that will contribute hazardous waste to the SHWCCAF.

(6) An estimate of the total volume (in gallons or pounds) of hazardous wastes to be received at the SHWCCAF in an average month.

(7) A description of how waste is to be managed at the SHWCCAF, including the number of waste storage containers, volumes of each container, and total waste storage capacity of the SHWCCAF.

(8) A description of the operational hours and safety precautions to be taken at the SHWCCAF.

(9) A detailed description of the SHWCCAF. The description shall include, but not be limited to, fencing, gates, traffic flow, waste transfer areas, waste sorting areas, waste storage areas, containment features, and uses of the property surrounding the SHWCCAF and the SHWCCAF site property.

(10) Certification of financial responsibility for closure as required by section 67450.49(d).

(11) A facility plot map showing the general layout of the SHWCCAF. The drawing shall fit on an 8 1/2" by 11" sheet of paper, and include the following:

(A) Map scale, north arrow, and date;

(B) The boundaries of the SHWCCAF;

(C) The name and location of each operation area and waste management unit (Example: consolidation area, storage area, used oil tank, etc.);

(D) The approximate location of the SHWCCAF site property boundaries with respect to the SHWCCAF;

(E) Security provisions (fencing, gates, etc.); and

(F) Internal roads, and onsite and offsite traffic flow.

(c) The notification shall be submitted a minimum of 45 days in advance of the planned commencement of operation of the SHWCCAF, and every five (5) years thereafter, or every five (5) years from the notification revision submitted pursuant to subsection (f). Each notification required by this subsection shall be completed, dated, and signed according to the requirements of section 66270.11 as those requirements apply to permit applications.

(d) The owner or operator of a SHWCCAF accepting waste from schools located within different CUPA or authorized agency jurisdictions shall submit copies of the notification, with a brief explanation indicating the copies are for information only, to each CUPA within whose jurisdiction a contributing school is located. The CUPA or authorized agency in whose jurisdiction the SHWCCAF is located shall coordinate with any other CUPAs or authorized agencies having jurisdiction over contributing schools on issues affecting those contributing schools.

(e) Within thirty (30) calendar days of receipt of a notification submitted pursuant to subsections (b) or (c) of this section, the CUPA or authorized agency shall acknowledge in writing receipt of the notification. The CUPA or authorized agency shall, in conjunction with the acknowledgment, authorize operation of the SHWCCAF subject to the requirements and conditions of this article; revoke, suspend, or deny authorization or reauthorization to operate under a permit by rule pursuant to section 67450.50; or notify the owner or operator that the notification is incomplete or inaccurate and inform the operator that additional information or correction(s) is needed. The CUPA or authorized agency shall deny the notification of any owner or operator who fails to provide the information or correction(s) requested within ten (10) calendar days of receipt of the acknowledgment. Upon good cause shown by the owner or operator, the CUPA or authorized agency shall grant the owner or operator additional time to provide the information or correction(s) requested. An owner or operator whose notification is rejected may submit a new or revised notification. The CUPA or authorized agency shall submit copies of any letter modifying or revoking authorization of the SHWCCAF to all CUPAs or authorized agencies in whose jurisdiction contributing schools are located.

(f) Forty-five (45) calendar days prior to implementing any change in the operation of the SHWCCAF as described in the notification required by subsections (b) or (c) of this section, the owner or operator shall send a revised notification to the CUPA or authorized agency. The CUPA or authorized agency shall notify the operator if the information is incomplete or inaccurate within thirty (30) calendar days of receipt of the revised notification. Upon good cause shown by the owner or operator, the CUPA or authorized agency shall allow the owner or operator to submit the revised notification within a shorter period of time prior to implementing the change.

(g) Within thirty (30) calendar days of receipt of a revised notification submitted pursuant to paragraph (f) of this section, the CUPA or authorized agency shall acknowledge in writing receipt of the revised notification. The CUPA or authorized agency shall, in conjunction with the acknowledgment, authorize continued operation of the SHWCCAF subject to the requirements and conditions of this article; deny authorization to operate under the revised notification specifications pursuant to section 67450.50; or notify the operator that the revised notification is incomplete or inaccurate and inform the owner or operator of the additional information or correction(s) needed. The CUPA or authorized agency shall deny the revised notification of any operator who fails to provide the information or

correction(s) requested within ten (10) calendar days of receipt of the acknowledgment. Upon good cause shown by the owner or operator, the CUPA or authorized agency shall grant the operator additional time to provide the information or correction(s) requested. An owner or operator whose revised notification is rejected may submit a new revised notification. The owner or operator whose revised notification is rejected may continue to operate the SHWCCAF under the conditions of the previous authorization until authorization is received to operate under a revised notification, unless the previous authorization is revoked, suspended, denied, or voided pursuant to section 67450.50. The CUPA or authorized agency shall submit copies of any letter accepting or rejecting the revised notification to all CUPAs or authorized agencies in whose jurisdiction contributing schools are located.

(h) The owner or operator of a SHWCCAF shall remain in compliance with the requirements specified in this article between the time the SHWCCAF commences operation and the time the applicable facility closure performance standard requirements of section 67450.48 are met.

NOTE: Authority cited: Section 25150, Health and Safety Code. Reference: Sections 25150, 25158, 25185.6, 25186, 25200, 25245.4 and 25404.1, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.44. Requirements Applicable to K - 12 Schools Hazardous Waste Collection, Consolidation, and Accumulation Facilities Deemed to Have a Permit by Rule.

(a) The owner or operator who operates a SHWCCAF deemed to have a permit by rule shall do all of the following:

(1) Maintain compliance with sections 66262.10 through 66262.57 (Generator Standards) for any hazardous wastes generated at the SHWCCAF, except section 66262.41.

(2) Maintain compliance with sections 66264.175 (Containment) and 66265.148 (Incapacity of Owners or Operators, Guarantors, or Financial Institutions) except as follows:

(A) The engineering certification required by section 66264.175(c) shall be provided by the manufacturer of the containment system, an independent professional engineer registered in the State of California, or a registered professional engineer employed by a local government entity associated with the owner or operator of the SHWCCAF but not reporting to the SHWCCAF owner or operator.

(3) Maintain compliance with the following regulations in chapter 15 of this division:

(A) Article 2, General Facility Standards, commencing with section 66265.10 (except sections 66265.12(b), 66265.13, and 66265.19).

(B) Article 3, Preparedness and Prevention, commencing with section 66265.30.

(C) Article 4, Contingency Plan and Emergency Procedures, commencing with section 66265.50 (except section 66265.53(b));

(D) Section 66265.71(c) of Article 5, Manifest System, except as specified in section 66262.20(a)(1).

(E) Article 9, Use and Management of Containers, commencing with section 66265.170. Except that the minimum distance specified in section 66265.176 may, at the discretion of the owner or operator, be less than 15 meters (50 feet) from the facility's property line if the shorter distance minimizes the possibility of migration of contaminants to any adjacent property should a release occur, meets the Uniform Fire Code or local fire code requirements (whichever is more stringent), and the owner or operator has written approval from all the appropriate local agencies to use the shorter distance.

(F) Article 10, Tank Systems, commencing with section 66265.190 (except section 66265.197(c)(2)).

(4) Prepare, maintain at the facility, and operate in compliance with an operating record comprised of the items specified in sections 67450.44(a)(6)(A)3 and 67450.45(a) of this article, and the items specified below in subsections (A), (B), (C), and (D) as follows:

(A) Procedures to be followed to ensure that the SHWCCAF does not exceed the maximum hazardous waste volumes and accumulation time limits established in subsections (a)(8) and (a)(9) of this section. At a minimum, the plan shall include procedures to address the following:

1. A system for identifying and marking wastes with the waste volume and date received at the SHWCCAF. The system shall address tracking the location of wastes according to the waste volume and date received at the SHWCCAF and establishment of procedures for removal of the oldest wastes as necessary to maintain compliance with both the maximum waste volume provisions of subsection (a)(8) and waste accumulation time limit provisions of subsection (a)(9).

2. Assessment of whether and when the volume of wastes being brought to the SHWCCAF may cause the SHWCCAF to approach or exceed the established facility maximum waste volumes;

3. Arrangements for immediate transportation of wastes by a registered hazardous waste transporter to an authorized treatment, storage or disposal facility, such that the established maximum facility waste volumes and accumulation time limits shall not be exceeded.

(B) Procedures to be followed to ensure that the facility will be managed in an environmentally safe manner in the event of inclement weather.

(C) A copy of the written protocol when required by section 67450.44(a)(7)(B)3 for consolidation at the SHWCCAF of solvents, oil-based paints, or gasoline.

(D) Procedures for segregating and immediately removing from the SHWCCAF wastes prohibited from management at the SHWCCAF. The owner or operator of the SHWCCAF shall remove prohibited wastes from the

SHWCCAF and transport them to an authorized treatment, storage or disposal facility, in accordance with all applicable regulations, within ten (10) days of receipt of the wastes at the SHWCCAF. The owner or operator shall document these actions in the facility operating log required by section 67450.45(a)(1).

(5) Maintain compliance with the transportation requirements established in section 67450.46 of this article.

(6) Maintain compliance with Health and Safety Code section 25200.14, except as specified below:

(A) Complete and file a Phase I environmental assessment with the Department, or with a CUPA authorized to implement Health and Safety Code section 25200.14 pursuant to Health and Safety Code section 25404.1, within one year of commencing operation pursuant to section 66270.60 and article 5 of chapter 45.

1. The Phase I environmental assessment required by Health and Safety Code section 25200.14 shall be limited to the area defined by the operational boundary of the SHWCCAF. The assessment shall be conducted only on the area directly affected by the operations of the SHWCCAF.

2. The certification required by Health and Safety Code section 25200.14(d) may be obtained from the owner, operator, or his or her designee, a professional engineer registered in the State of California, a registered geologist, or a registered environmental assessor.

3. The Phase I environmental assessment and certification required by this section shall be submitted to the Department, or CUPA authorized to implement Health and Safety Code section 25200.14 pursuant to Health and Safety Code section 25404.1. A copy of the Phase I environmental assessment and the certification shall be made part of the operating record required by subsection (a)(4) of this section.

(7) Consolidation of hazardous wastes at the SHWCCAF shall be conducted in compliance with section 67450.42(d) of this article, and as specified below:

(A) Consolidation shall be conducted in a manner that prevents mixing of incompatible wastes.

(B) Consolidation shall be conducted in compliance with any applicable air quality management district or air pollution control district requirements and any applicable local fire agency requirements. In addition, consolidation shall be conducted to include the following:

1. Every reasonable effort shall be made to minimize the loss of volatile organic compounds during any consolidation activities.

2. Emission of nuisance odors shall be prevented during any consolidation activities.

3. If solvents, oil-based paints, or gasoline are to be consolidated at the SHWCCAF and local air district or fire agency requirements specific to that activity apply, the owner or operator of the SHWCCAF shall develop, and operate in compliance with, written consolidation procedures approved by the local fire and air quality management district or air pollution control district having jurisdiction over the SHWCCAF.

(C) All consolidation shall be conducted within an area with secondary containment in accordance with section 66264.175 if containers are used for consolidation of the wastes, and section 66265.193 if tank systems are used for the consolidation of wastes.

(8) The maximum quantity of hazardous wastes accumulated at the SHWCCAF at any one time, including hazardous waste generated by the SHWCCAF, shall not exceed 1,080 gallons or 8,800 pounds, whichever is greater. If the volume of hazardous wastes being transported to the SHWCCAF is such that the quantity limit will be exceeded, the owner or operator shall immediately make arrangements for a registered hazardous waste transporter to pick up wastes from the facility, such that the maximum quantity of hazardous waste allowed at the SHWCCAF shall not be exceeded.

(9) Notwithstanding section 66262.34, the owner or operator of a SHWCCAF may accumulate and store non-RCRA or RCRA hazardous waste, if management of that waste at the SHWCCAF is exempt from or is not otherwise regulated pursuant to the federal act, at the facility for up to one year from the date of collection from contributing schools or the date of generation at the SHWCCAF, as long as the maximum quantity of hazardous waste allowed at the SHWCCAF is not exceeded.

NOTE: Authority cited: Sections 25150 and 25150.6, Health and Safety Code. Reference: Sections 25150, 25185.6, 25200, 25200.14 and 25404.1, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.45. Recordkeeping Requirements.

(a) The owner or operator of a SHWCCAF deemed to have a permit by rule shall maintain at the facility an operating record consisting of the following documents and the items specified in section 67450.44(a)(4).

(1) A continuous hazardous waste inventory and facility operating log of the hazardous wastes accepted, generated, stored, or consolidated at the facility, along with hazardous wastes transported from the facility.

(2) A list of the specific personnel designated by the SHWCCAF owner or operator to operate the SHWCCAF, transport contributing school wastes to the SHWCCAF, or accept waste at the SHWCCAF.

(3) A written inspection schedule, in accordance with section 66265.15(b).

(4) Personnel training documents, in accordance with section 66265.16(d).

(5) A contingency plan, in accordance with section 66265.53(a).

(6) A copy of the most recent notification submitted as required by sections 67450.43(b), (c) and (f) and a copy of the most recent acknowledgment received from the Department, CUPA or authorized agency pursuant to sections 67450.43(e) and (g).

(7) Copies of any local land use permits or other permits that may be necessary for the operation of the

facility, and documentation that the operation of the SHWCCAF is consistent with local land use zoning or land use patterns.

(8) A copy of the closure plan required by section 67450.48(c).

(9) A copy of documents related to the environmental investigation and any cleanup, abatement or other necessary remedial action taken in response to a release of hazardous waste at the SHWCCAF.

(10) Documentation of any convictions, judgments, settlements, or orders resulting from any action by any local, State, or federal environmental or public health enforcement agency concerning the operation of the facility within the last three years, as the documents would be available under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Part 1 of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of the Civil Code).

(b) The owner or operator shall make the documents specified in subsection (a) available upon demand at the facility to any representative of the Department, the CUPA or authorized agency. A copy of these documents shall also be delivered in person or by certified mail with return receipt requested to the Department, CUPA or authorized agency when requested in writing by the Department, CUPA or authorized agency. The request from the Department, CUPA or authorized agency shall specify the documents which are required, where and how to submit the required documents, and the date by which the documents shall be submitted.

(c) The owner or operator of a SHWCCAF shall keep all records required by this section for a minimum period of three years. The record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Department, CUPA, or authorized agency.

NOTE: Authority cited: Section 25150, Health and Safety Code. Reference: Sections 25150, 25185.6, 25200 and 25404.1, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.46. Transportation Requirements.

(a) Wastes may be transported to the SHWCCAF from contributing schools without use of a hazardous waste manifest or registered hazardous waste transporter only as provided in subsections (a)(1) or (a)(2). Transportation of hazardous waste from contributing schools to the SHWCCAF not done in accordance with subsections (a)(1) or (a)(2) is subject to all applicable hazardous waste transportation requirements.

(1) Wastes are transported in accordance with Health and Safety Code section 25163(c) and all of the following conditions are met:

(A) The contributing school is the waste generator and generates not more than 100 kilograms of hazardous waste in any month;

(B) The contributing school transporting the waste does not accumulate more than a total of 1,000 kilograms of hazardous waste onsite at any one time;

(C) The total volume of hazardous waste transported does not exceed five gallons or the total weight does not exceed 50 pounds;

(D) The hazardous wastes are transported in closed containers and packed in a manner that prevents the containers from tipping, spilling, or breaking during the transporting;

(E) Different hazardous waste materials are not mixed within a container during the transporting (except wastes lab packed prior to transport in accordance with the requirements of section 66264.316 and the physical properties of the wastes);

(F) If the hazardous waste is extremely hazardous waste or acutely hazardous waste, the extremely hazardous waste or acutely hazardous waste was not generated in the course of any business, and is not more than 2.2 pounds.

(2) Wastes are transported in a manner that all of the following conditions are met:

(A) The hazardous waste is a non-RCRA hazardous waste, or the hazardous waste or its transportation is otherwise exempt from, or is not otherwise regulated pursuant to, the federal act.

(B) The hazardous waste is transported by trained employees of the contributing school generating the waste, by trained contractors under the control of the contributing school, or by trained employees of the owner or operator of the SHWCCAF, in vehicles which are owned or operated by the contributing school or the owner or operator of the SHWCCAF, or by registered hazardous waste transporters. The contributing school shall assume liability for a spill of hazardous waste being transported under this subsection by the contributing school, or a contractor of the contributing school in a vehicle owned or operated by the contributing school. The owner or operator of the SHWCCAF shall assume liability for a spill of hazardous waste being transported under this subsection by an employee or contractor of the SHWCCAF owner or operator in a vehicle owned or operated by the SHWCCAF owner or operator. Nothing in this subsection bars any agreement to insure, hold harmless, or indemnify a party to the agreement for any liability under this section or otherwise bars any cause of action a generator would otherwise have against any other party.

(C) The hazardous waste is not held at any interim location, other than the SHWCCAF, for more than eight hours, unless that holding is required by other provisions of law.

(D) Not more than 135 gallons or 1,100 pounds, whichever is greater, of hazardous waste is transported in any shipment.

(E) A shipping paper containing all of the following information accompanies the hazardous waste while in

transport.

1. A list of the hazardous waste being transported.
2. The type and number of containers being used to transport each type of hazardous waste.
3. The quantity, by weight or volume, of each type of hazardous waste being transported.
4. The physical state, such as solid, powder, liquid, semi-solid, or gas, of each type of hazardous waste being transported.
5. The name, location, and EPA Identification Number, if applicable, of the contributing school where the hazardous waste was generated.
6. The name and signature of the contributing school representative offering the waste for transport to the SHWCCAF.
7. The name and signature of the individual(s) who transport the hazardous waste from the contributing school to the SHWCCAF.
8. The date that the hazardous waste leaves the contributing schools and the date that the hazardous waste arrives at the SHWCCAF.
9. The name, address, telephone number, and EPA Identification Number of the SHWCCAF to which the hazardous waste is being transported.
10. The name, telephone number, and pager number if available, of an emergency response contact, for use in the event of a spill or other release.
11. The name and signature of the personnel designated by the SHWCCAF owner or operator who accepts the waste at the SHWCCAF.

(F) All shipments of hazardous waste conform with all applicable requirements of the United States Department of Transportation for hazardous materials shipments.

(b) The owner or operator of the SHWCCAF shall keep records in accordance with section 67450.45, including the shipping papers required pursuant to subsection (a)(2)(E) of this section, of all wastes transported to the SHWCCAF from contributing schools and all wastes transported from the SHWCCAF. The records for wastes transported to and from the SHWCCAF for the last three years shall be kept onsite at the SHWCCAF and be available for immediate inspection by the Department, the CUPA or authorized agency, or other federal or local agency with jurisdiction over the transport of hazardous wastes. The records retention period is automatically extended during the course of any pending enforcement action regarding the regulated activity or as requested by the Department, CUPA, or authorized agency.

(c) All hazardous wastes transported from the SHWCCAF shall be managed and transported as follows:

- (1) Managed in accordance with the pre-transport requirements established in sections 66262.30 (Packaging), 66262.31 (Labeling), 66262.32 (Marking), and 66262.33 (Placarding); and
- (2) Transported in accordance with sections 66262.20 through 66262.23 (Manifest), using a hazardous waste manifest and registered hazardous waste transporter, as applicable, only to an authorized treatment, storage, or disposal facility.

NOTE: Authority cited: Sections 25150, 25150.6 and 25161 Health and Safety Code. Reference: Sections 25150, 25150.6, 25160 and 25163, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.47. Training Requirements.

(a) Hazardous waste transported to the SHWCCAF from contributing schools and hazardous waste managed at the SHWCCAF shall be handled only by personnel trained in hazardous waste management procedures in accordance with section 66265.16 and authorized by the contributing school or SHWCCAF owner or operator to handle the waste. The required personnel training shall be in an amount and frequency sufficient to ensure protection of human health, safety, and the environment, and shall address, in addition to the emergency response training requirements of section 66265.16(a)(3), the following areas as they relate to K - 12 school waste and the positions held by personnel:

- (1) Hazardous waste identification;
- (2) Hazardous waste management, including waste storage and consolidation considerations (especially with respect to chemical compatibility, reactivity, and temperature sensitivity);
- (3) Non-emergency hazardous waste spill or release response procedures; and
- (4) Hazardous waste regulatory requirements applicable to the transportation and management of hazardous wastes pursuant to this article.

(b) Pre-transport packaging (including lab packing of eligible science laboratory hazardous wastes), labeling, marking, or other transportation related management of contributing school hazardous waste shall be performed only by contributing school or SHWCCAF personnel trained in hazardous waste transportation and management procedures pursuant to subsection (a) of this section.

(c) Personnel training documents shall be maintained at each contributing school in accordance with section 66265.16(d) and at each SHWCCAF in accordance with the SHWCCAF recordkeeping and reporting requirements established in section 67450.45 of this article.

NOTE: Authority cited: Section 25150, Health and Safety Code. Reference: Sections 25150 and 25185.6, Health and

Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.48. SHWCCAF Closure.

(a) The owner or operator of a SHWCCAF deemed to have a permit by rule shall close the SHWCCAF in a manner that:

- (1) Removes all hazardous wastes accumulated and stored at the SHWCCAF;
- (2) Minimizes the need for further maintenance; and

(3) Controls, minimizes, or eliminates, to the extent necessary to protect human health and the environment, potential or actual escape of hazardous waste, hazardous constituents, leachate, contaminated rainfall or runoff, or waste decomposition products to the ground or surface waters or to the atmosphere from wastes managed at the SHWCCAF in accordance with this article.

(b) During closure periods, all contaminated equipment, structures, and soil shall be properly disposed of, or decontaminated by removing all hazardous waste and residues, unless specified otherwise in section 66265.197. All hazardous waste generated as a function of disposal or decontamination shall be handled in accordance with the requirements of section 67450.44(a)(1) for hazardous wastes generated at the SHWCCAF.

(c) The SHWCCAF owner or operator shall, within 6 months after authorization under PBR, prepare a written closure plan that identifies the steps necessary to perform partial or final closure at any point during the active life of the SHWCCAF and to perform final closure at the end of the active life of the SHWCCAF. The SHWCCAF owner or operator shall amend the closure plan whenever changes in the SHWCCAF operating record or facility design or operation affect the closure plan. The SHWCCAF closure plan shall:

(1) Describe how and when the SHWCCAF will be closed. At a minimum, the description shall identify how the owner or operator will:

- (A) Remove all hazardous waste from the site;
- (B) Classify and properly manage contaminated container systems, tank systems, soils, structures, and equipment; and
- (C) Determine when the site meets the closure criteria specified in subsection (a) above.

(2) Be maintained in accordance with the SHWCCAF recordkeeping requirements established in section 67450.45 of this article.

(d) Within ninety (90) days after receipt of the final load of hazardous waste, the SHWCCAF owner or operator shall remove from the facility all hazardous waste in accordance with the closure plan and the applicable requirements of this chapter unless the owner or operator demonstrates to the CUPA or authorized agency that the activities required to remove the hazardous wastes will require longer than ninety (90) days, or there is a reasonable likelihood that the facility will accept additional wastes, and the owner or operator has taken and will continue to take all steps necessary to prevent threats or harm to human health and the environment.

(e) The SHWCCAF owner or operator shall complete closure activities in accordance with the closure plan within 180 days after removal of the final volume of hazardous waste from the facility unless the owner or operator demonstrates to the CUPA or authorized agency that the activities required to complete will require longer than 180 days to complete, or there is a reasonable likelihood that the owner or operator will recommence operation of the facility, and the owner or operator has taken and will continue to take all steps necessary to prevent threats or harm to human health and the environment.

(f) The SHWCCAF owner or operator shall notify the CUPA or authorized agency, and any other agencies having jurisdiction over the closure of the facility, at least fifteen (15) days prior to completion of closure.

(g) The SHWCCAF owner or operator shall remain in compliance with all applicable requirements of this article until the owner or operator submits to the CUPA or authorized agency a certification signed by the owner or operator and by a professional engineer registered in California, that closure has been completed in accordance with the closure plan and that the closure plan meets or exceeds the applicable requirements of this article. The certification shall be submitted to the CUPA or authorized agency within 60 days of final closure of the SHWCCAF. The required professional engineer certification shall be provided by an independent, registered professional engineer, or a registered professional engineer employed by a local government entity associated with the owner or operator of the SHWCCAF but not reporting to the SHWCCAF owner or operator.

NOTE: Authority cited: Section 25150, Health and Safety Code. Reference: Sections 25150, 25185.6, 25200 and 25404.1, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67450.49. Financial Assurance for SHWCCAF Closure.

(a) This section applies to all SHWCCAFs deemed to have a permit by rule pursuant to section 66270.60, subsection (d)(7).

(b) The owner or operator of a SHWCCAF shall prepare and submit to the CUPA or authorized agency a written estimate, in current dollars, of the cost of closing the SHWCCAF. The estimate shall be based on the maximum projected closure cost. However, the closure cost estimate may take into account any salvage value that

may be realized from the sale of wastes, facility structures or equipment, land, or other facility assets at the time of closure. The closure cost estimate may also take into account reduced costs that may be incurred by employing the operator's own personnel and/or equipment for actual closure activities.

(1) The owner or operator of a SHWCCAF shall adjust annually the closure cost estimate for inflation within sixty (60) days prior to the anniversary date of the original establishment of the financial mechanism(s). The adjustment shall be made as specified below using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor is obtained by dividing the latest published annual Deflator by the Deflator for the previous year.

(A) The first adjustment is made by multiplying the closure cost estimate by the inflation factor developed as specified in subsection (b)(1) of this section. The result is the adjusted closure cost estimate.

(B) Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor developed as specified in subsection (b)(1) of this section.

(2) The owner or operator of a SHWCCAF shall revise the closure cost estimate no more than thirty (30) days after a change in the closure plan increases the cost of closure. The revised closure cost estimate shall be adjusted for inflation as specified in subsection (b)(1) of this section.

(3) The most current closure plan and the most current closure cost estimate shall be kept on file at the SHWCCAF during the operating life of the facility.

(c) Financial assurance for closure of a SHWCCAF shall be established by one of the following methods and submitted with the certification required in subsection (d) of this section:

(1) a closure trust fund, as specified in section 66265.143, subsection (a);

(2) a surety bond guaranteeing payment into a closure trust fund, as specified in section 66265.143, subsection (b);

(3) a closure letter of credit, as specified in section 66265.143, subsection (c);

(4) closure insurance, as specified in section 66265.143, subsection (d);

(5) a financial test and corporate guarantee for closure, as specified in section 66265.143, subsection (e);

(6) multiple financial mechanisms for closure costs, as specified in section 66265.143, subsection (f),

(7) an alternate financial mechanism, as specified in section 66265.143, subsection (h); or

(8) self-insurance (for public agencies).

(A) A public agency operating a SHWCCAF may satisfy the requirements of this section by submitting a certificate of self-insurance to the CUPA or authorized agency. The public agency shall submit DTSC Form 1220 (2/96) that may be obtained from the CUPA or authorized agency. The certificate of self-insurance shall contain original signatures.

(B) The public agency shall guarantee that funds shall be available to close the facility whenever final closure occurs. The public agency shall also guarantee that once final closure begins, the public agency shall, at the direction of the CUPA or authorized agency, provide funding up to an amount equal to the full amount of the most recent closure cost estimate, to a party or parties specified by the CUPA or authorized agency.

(d) The owner or operator of a SHWCCAF shall submit a financial assurance certification to the CUPA or authorized agency that documents compliance with the closure cost estimate and financial assurance requirements of subsections (b), (c), and (d) of this section, as necessary. The certification shall be submitted with the notification required by sections 67450.43(b), (c), or (f), as appropriate, or annually in years where notification is not required.

(1) The certification shall contain the following information:

(A) The current closure cost estimate of the SHWCCAF as determined in subsection (b) of this section.

(B) The mechanism(s) established to provide the closure cost assurance for the SHWCCAF, as described in subsection (d), including:

1. The name and location of the financial institution, insurance company, surety company, or other appropriate organization used to establish the closure assurance for the SHWCCAF.

2. The effective date of the closure assurance for the SHWCCAF.

(C) The certification shall be signed according to the requirements of section 66270.11 as those requirements apply to permit applications.

(2) The CUPA or authorized agency may require the owner or operator of a SHWCCAF to submit the Certification of Financial Assurance Page of the Unified Program Consolidated Form (UPCF) (1/99 revised) found in Title 27, CCR, Division 1, Subdivision 4, Chapter 1, Appendix E (after section 15620), as the certification required by the section.

NOTE: Authority cited: Sections 25150 and 25245, Health and Safety Code. Reference: Sections 25150, 25200, 25245 and 25404.1, Health and Safety Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

2. Change without regulatory effect amending subsections (a) and (c)(1)-(5) and repealing and adding new subsections (c)(6)-(7) filed 12-19-2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 51).

§67450.50. Revocation, Suspension and Denial of Authorization or Reauthorization, and Operating Restrictions for SHWCCAFs Operating Under Permit by Rule.

(a) Notwithstanding the provisions of Chapter 21 of this division, the Department, CUPA or authorized

agency may revoke or suspend authorization or reauthorization for any SHWCCAF operating or proposing to operate under a permit by rule as provided in this section. The Department, CUPA or authorized agency may also deny authorization or reauthorization for a SHWCCAF operating or proposing to operate under a permit by rule as provided in this section. The Department, CUPA or authorized agency shall base a decision on any one of the factors set forth in section 66270.43(a) or (b) or on Health and Safety Code section 25186 or on a finding that operation of the SHWCCAF in question will endanger human health, domestic livestock, wildlife, or the environment.

(1) Notice of revocation, suspension, or denial shall be provided to the owner or operator of a SHWCCAF by certified mail with return receipt requested or by personal service.

(2) An owner or operator of a SHWCCAF whose authorization or reauthorization is revoked or suspended or who is denied authorization or reauthorization to operate a SHWCCAF under a permit by rule and who wishes to appeal the revocation, suspension, or denial shall appeal by submitting a letter requesting a hearing to the agency revoking, suspending, or denying authorization within ten (10) days of receipt of notice of revocation, suspension, or denial.

(3) Proceedings to appeal a CUPA or authorized agency's decision concerning revocation, suspension, or denial of authorization or reauthorization to operate under permit by rule shall be conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) Any authorization or reauthorization to operate a SHWCCAF granted pursuant to this article is contingent upon the accuracy of information contained in the notifications required by sections 67450.43(b), (c), and (f). Any misrepresentation or any failure to fully disclose all relevant facts shall render the authorization or reauthorization to operate null and void.

(c) The Department, CUPA or authorized agency, when denying or revoking authorization for a SHWCCAF, shall send a copy of the letter sent pursuant to subsection (a)(1) to each CUPA or authorized agency with a contributing school in its jurisdiction.

NOTE: Authority cited: Sections 25150 and 58012, Health and Safety Code. Reference: Sections 25186, 25186.1, 25186.2, 25200, 25404.1 and 25404.2, Health and Safety Code; and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

HISTORY

1. New section filed 1-30-2002; operative 1-30-2002 pursuant to Government Code section 11343.4 (Register 2002, No. 5).

§67451. Waste Analysis for Permitted Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67452. Principal Organic Hazardous Constituents (POHCs) for Permitted Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67453. Performance Standards for Permitted Facilities.

NOTE: Authority cited: Section 208, 39002, 40702, 41982 and 42300, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67454. Hazardous Waste Incinerator Permits.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67455. Operating Requirements for Permitted Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67457. Monitoring and Inspections for Permitted Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67461. Waste Analysis for Interim Status Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67462. General Operating Requirements for Interim Status Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67464. Monitoring and Inspections for Interim Status Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67468. Closure for Both Interim Status and Permitted Facilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67490. Applicability.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67493. General Operating Requirements.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67495. Waste Analysis.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67497. Monitoring and Inspections.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67520. Applicability.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New Article 32 (Sections 67520—67526) filed 1—3—85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67521. General Operating Requirements.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67522. Waste Analysis and Trial Tests.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67523. Inspections.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67524. Closure of Interim Status Facilities Which Treat Hazardous Waste Other Than in Tanks, Surface Impoundments, Land Treatment Units or Incinerator or Other Thermal Treatment Units.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67525. Special Requirements for Ignitable or Reactive Waste.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67526. Special Requirements for Incompatible Wastes.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67600. Certification of Laboratories.

NOTE: Authority cited: Sections 25173 and 25198.2(a), Health and Safety Code. Reference: Sections 25198.3, 25198.5(a)(1) and (c) and 25198.7(a) and (b), Health and Safety Code.

HISTORY

1. New Article 33 (Sections 67600—67606) filed 3—12—85; effective thirtieth day thereafter (Register 85, No. 11).
2. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67601. Test Categories.

NOTE: Authority cited: Section 25198.2(a), Health and Safety Code. Reference: Section 25198.2(b)(1), Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67602. Quality Assurance Program.

NOTE: Authority cited: Section 25198.2(a), Health and Safety Code. Reference: Section 25198.2(b)(2), Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67603. Laboratory Equipment.

NOTE: Authority cited: Section 25198.2(a), Health and Safety Code. Reference: Section 25198.2(b)(3), Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67604. Analytical Procedures.

NOTE: Authority cited: Section 25198.2(a), Health and Safety Code. Reference: Section 25198.2(b)(4), Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67405. Personnel Qualifications.

NOTE: Authority cited: Section 25198.2(a), Health and Safety Code. Reference: Section 25198.2(b)(5), Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67606. Proficiency Testing.

NOTE: Authority cited: Section 25198.2(a), Health and Safety Code. Reference: Section 25198.5(c), Health and

Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67650. Request As To Whether Property Should Be Designated As Hazardous Waste Property or Border Zone Property; Granted a Variance from Designation of Property As Hazardous Waste Property or Border Zone Property; or Have a Designation of Property As Hazardous Waste Property or Border Zone Property Removed.

Note: Authority cited: Section 25156, Health and Safety Code. Reference: Sections 25221, 25222, 25233 and 25234, Health and Safety Code.

HISTORY

1. New Article 34 (Sections 67650 and 67651 filed 6—13—84; effective thirtieth day thereafter (Register 84, No.24).
2. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67651. Ascertainment of Sufficient Evidence for a Proceeding to Designate Property As Hazardous Waste Property or Border Zone Property; to Grant a Variance from Such Designation; or to Remove Such Designation.

NOTE: Authority cited: Section 25156, Health and Safety Code. Reference: Sections 25221, 25222, 25233 and 25234, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67700. Purpose, Scope and Applicability.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25159, 25159.5, 25179.6, 25179.11, 25179.12 and 25208.16, Health and Safety Code.

HISTORY

1. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67702. List of Restricted Hazardous Wastes.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25179.3 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).
2. Renumbering and amendment of former subsections (a) and (b) to subsections (a)(1) and (a)(2), new subsection (b) and amendment of NOTE filed 12-27-89; operative 1-26-90 (Register 90, No. 2).
3. New subsection (b)(2) filed 12-28-89; operative 1-27-90 (Register 90, No. 2).
4. New subsections (b)(7), (b)(10) and (b)(11) filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.
5. Editorial correction of printing error in HISTORY note 2 (Register 90, No. 44).
6. Amendment refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.
7. New subsections (b)(8) and (b)(9) filed 12-4-90; operative 1-1--91 (Register 91, No. 3).
8. Amendment of subsection (b) filed 12-6-90; operative 1-1-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 5).
9. Readoption of 9-6-90 order filed 12-31-90 as an emergency; operative 1-4-91 (Register 91, No. 11). A Certificate of Compliance must be transmitted to OAL by 5-6-91 or emergency language will be repealed by operation of law on the following day.
10. New subsection (b)(3) filed 1-2-91; operative 2-1-91 (Register 91, No. 11).
11. New subsection (b)(4) filed 2-25-91; operative 3-27-91 (Register 91, No. 13).
12. Readoption of 12-31-90 order filed 5-6-91 as an emergency; operative 5-6-91 (Register 91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on the following day.
13. Renumbering and amendment of former section 66702 to section 66268.29, filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§67706. Waste Prohibitions—General.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25179.3 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.
2. New section refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.

3. New section filed 12-31-90 as an emergency; operative 1-4-91 (Register 91, No. 11). A Certificate of Compliance must be transmitted to OAL by 5-6-91 or emergency language will be repealed by operation of law on the following day.

4. New section refiled 5-6-91 as an emergency; operative 5-6-91 (Register 91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on the following day.

5. Renumbering and amendment of former section 66706, subsections (a), (b) and (c) to section 66268.1, subsections (g), (h) and (i) filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§67710. Waste Specific Prohibitions—Solvent Wastes.

NOTE: Authority cited: Section 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25159, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).

2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§67711. Waste Specific Prohibitions—Dioxin-Containing Wastes.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25259, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).

2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§67715. Waste Specific Prohibitions—Non-RCRA Wastes.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25179.6, and 15179.7, Health and Safety Code.

HISTORY

1. New section filed 12-27-89; operative 1-26-90 (Register 90, No. 2).

2. New subsection (a)(2) filed 12-28-89; operative 1-27-90 (Register 90, No. 2).

3. New subsections (a)(7), (a)(10) and (a)(11) filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.

4. Editorial correction of printing error (Register 90, No. 44).

5. New section refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.

6. New subsections (a)(8) and (a)(9) filed 12-4-90; operative 1-1--91 (Register 91, No. 3).

7. Amendment of subsection (a) filed 12-6-90; operative 1-1-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 5).

8. Readoption of 9-6-90 order filed 12-31-90 as an emergency; operative 1-4-91 (Register 91, No. 11). A Certificate of Compliance must be transmitted to OAL by 5-6-91 or emergency language will be repealed by operation of law on the following day.

9. New subsection (a)(3) filed 1-2-91; operative 2-1-91 (Register 91, No. 11).

10. New subsection (a)(4) filed 2-25-91; operative 3-27-91 (Register 91, No. 13).

11. Readoption of 12-31-90 order filed 5-6-91 as an emergency; operative 5-6-91 (Register 91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on the following day.

12. Renumbering and amendment of former section 67715 to section 66268.100, filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§67720. Dilution of Restricted Hazardous Wastes Prohibited as a Substitute for Treatment.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety code. Reference: Sections 25159, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5—24—89; operative 6—23—89 (Register 89, No. 22).

2. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22).

§67721. Prohibitions on Storage of Restricted Wastes.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5—24—91; operative 6—23—89 (Register 89, No. 22).

2. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No. 22)

§67732. Procedures for Case—by—Case Extensions to an Effective Date.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.68, Health and Safety Code. Reference: Sections

15374—15378, government Code, and Sections 25159, 25159.5, 25179.6 and 25179.8, Health and Safety Code.

HISTORY

1. New section filed 5—24—89; operative 6—23—89 (Register 89, No.22).
2. Repealer filed 5—24—91; effective 7—1—91 (Register 91, No.22).

§67740. Waste Analysis and Recordkeeping.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25159, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).
2. Amendment filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.
3. Amendment refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.
4. Readoption of 12-31-90 order filed 5-6-91 as an emergency; operative 5-6-91 (Register 91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on the following day.
5. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§67750. Applicability of Treatment Standards.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25179.3 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).\$\$\$
2. Amendment of subsection (b) and NOTE filed 12-27-89; operative 1-26-90 (Register 90, No. 2).
3. New subsection (d) filed 12-28-89; operative 1-27-90 (Register 90, No. 2).
4. New subsections (e) and (f) filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.
5. Amendment refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.
6. Readoption of 9-6-90 order adding subsections (e) and (f) filed 12-31-90 as an emergency; operative 1-4-91 (Register 91, No. 11). A Certificate of Compliance must be transmitted to OAL by 4-30-91 or emergency language will be repealed by operation of law on the following day.
7. Amendment of subsection (a) filed 1-2-91; operative 2-1-91 (Register 91, No. 11).
8. Readoption of 12-31-90 order adding subsection (e) and (f) filed 5-6-91 as an emergency; operative 5-6-91 (Register 91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on the following day.
9. Renumbering and amendment of former section 67750 to section 66268.105, filed 5-24-91; operative 7-1-91 (Register 91, No. 22).
10. Editorial correction of HISTORY 6. to reflect correct Certificate of Compliance transmission date (Register 91, No. 22).

§67755. Treatment Standards Expressed as Concentrations in Waste Extract.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).
2. Amendment filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.
3. Amendment refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.
4. New subsections (b)(4) and (b)(5) filed 12-4-90; operative 1-1-91 (Register 91, No. 3).
5. Amendment of subsection (b) filed 12-6-90; operative 1-1-91 pursuant to Government Code section 11346.2(d) (Register 91, No. 5).
6. Editorial correction of subsection (b) (Register 91, No. 5).
7. Readoption of 9-6-90 order filed 12-31-90 as an emergency; operative 1-4-91 (Register 91, No. 11). A Certificate of Compliance must be transmitted to OAL by 5-6-91 or emergency language will be repealed by operation of law on the following day.
8. Amendment filed 1-2-91; operative 2-1-91 (Register 91, No. 11).
9. Editorial correction of printing error inadvertently omitting text from subsections (b)(4) and (5) (Register 91, No. 18).
10. Readoption of 12-31-90 order filed 5-6-91 as an emergency; operative 5-6-91 (Register 91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on

the following day.

11. Renumbering and amendment of former section 67755 to section 66268.106, filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§67760. Treatment Standards Expressed As Waste Concentrations.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25179.3 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).
2. Amendment of subsection (a), relettering of former subsection (b) to subsection (c), and new subsection (b) filed 12-27-89; operative 1-26-90 (Register 90, No. 2).
3. New subsections (b)(2) and (c)(2), and amendment and renumbering of subsection (c) to subsection (c)(1) filed 2-25-91; operative 3-27-91 (Register 91, No. 13).
4. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§67770. Variance from a Treatment Standard.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.8, Health and Safety Code. Reference: Sections 15374-15378, Government Code, and Sections 25159, 25159.5 and 25179.6 and 25179.8, Health and Safety Code.

HISTORY

1. New section filed 5-24-89; operative 6-23-89 (Register 89, No. 22).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§67780. Treatment Standard for PCB Wastes.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25179.3 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 12-28-89; operative 1-27-90 (Register 90, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§67785. Treatment Standards for Non-RCRA Aqueous and Liquid Organic Wastes.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25159, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.
2. New section refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 12-31-90 as an emergency; operative 1-4-91 (Register 91, No. 11). A Certificate of Compliance must be transmitted to OAL by 5-6-91 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 5-6-91 as an emergency; operative 5-6-91 (Register (91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on the following day.
5. Renumbering and amendment of former section 67785 to section 66268.112, filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§67786. Treatment Standards for Non-RCRA Solid Hazardous Waste Containing Organics.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25159, 25159.5 and 25179.6, Health and Safety Code.

HISTORY

1. New section filed 4-23-90 as an emergency; operative 5-8-90 (Register 90, No. 20). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 9-6-90.
2. New section refiled 9-6-90 as an emergency; operative 9-6-90 (Register 90, No. 44). A Certificate of Compliance must be transmitted to OAL by 1-4-91 or emergency language will be repealed by operation of law on the following day.
3. New section filed 12-31-90 as an emergency; operative 1-4-91 (Register 91, No. 11). A Certificate of Compliance must be transmitted to OAL by 5-6-91 or emergency language will be repealed by operation of law on the following day.
4. New section refiled 5-6-91 as an emergency; operative 5-6-91 (Register (91, No. 22). A Certificate of Compliance must be transmitted to OAL by 9-3-91 or emergency language will be repealed by operation of law on the following day.
5. Renumbering and amendment of former section 67786 to section 66268.113, filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§67800.1. Requirements for Standardized Permit Facilities.

(a) A facility with an existing permit issued pursuant to Health and Safety Code section 25200 may have its permit converted directly to a standardized permit, using the Class 1 permit modification procedures as specified in section 66270.42.

In addition to all other applicable requirements, the owner or operator of a facility eligible for the standardized permit tier pursuant to section 66270.69 shall comply with all of the following:

- (1) Articles 1 through 7, 9 and 10 of Chapter 14 of this division.
- (2) section 66264.175 regarding secondary containment for containers;
- (3) section 67800.5 regarding financial responsibility compliance.

NOTE: Authority cited: Sections 25150, 25201.6, 58004 and 58012, Health and Safety Code. Reference: Sections 25150, 25201.6 and 25250.1, Health and Safety Code.

HISTORY

1. New section filed 9-29-93 as an emergency; operative 9-29-93 (Register 93, No. 40). A Certificate of Compliance must be transmitted to OAL by 1-27-94 or emergency language will be repealed by operation of law on the following day.
2. Editorial correction of printing errors in subsections (c)(1), (e)(5), (h) and Note (Register 94, No. 3).
3. New section refiled 1-19-94 as an emergency; operative 1-19-94 (Register 94, No. 3). A Certificate of Compliance must be transmitted to OAL by 5-19-94 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction adding History 3 (Register 94, No. 9).
5. New section refiled 5-23-94 with amendment of section and Note as an emergency; operative 5-23-94 (Register 94, No. 21). A Certificate of Compliance must be transmitted to OAL by 9-20-94 or emergency language will be repealed by operation of law on the following day.
6. New section refiled 9-19-94 with amendment of section and Note as an emergency; operative 9-19-94 (Register 94, No. 38). A Certificate of Compliance must be transmitted to OAL by 1-17-95 or emergency language will be repealed by operation of law on the following day.
7. Repealed by operation of Government Code section 11346.1(g) (Register 95, No. 10).
8. New section filed 3-8-95; operative 3-8-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 10).
9. Change without regulatory effect amending section heading, section and Note filed 4-4-2002 pursuant to section 100, title 1, California Code of Regulations (Register 2002, No. 14).

§67800.5. Financial Responsibility for Facilities Operating Under a Standardized Permit.

The owner or operator of a facility that operates pursuant to a standardized permit issued pursuant to Health and Safety Code section 25201.6 shall comply with chapter 14, article 8, except as follows:

(a) Series A facilities, as defined by Health and Safety Code section 25201.6(a)(1), shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

(b) Series B facilities, as defined by Health and Safety Code section 25201.6(a)(2), Series C facilities, as defined by Health and Safety Code section 25201.6(a)(3), that treat or store reactive, ignitable or extremely hazardous waste and Series C facilities that treat solvents in accordance with Health and Safety Code section 25201.6(g)(2) shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$500,000 per occurrence with an annual aggregate of at least \$1 million, exclusive of legal defense costs.

(c) Series C facilities, as defined by Health and Safety Code section 25201.6(a)(3), shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$300,000 per occurrence with an annual aggregate of at least \$600,000, exclusive of legal defense costs.

(d) Notwithstanding subdivision (c) of this section, Series C facilities that treat no more than 1,500 gallons of liquid hazardous waste or 3,000 pounds of solid hazardous waste in any calendar month, or have a maximum storage capacity of no more than 15,000 gallons of liquid hazardous waste or 30,000 pounds of solid hazardous waste, shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$100,000 per occurrence with an annual aggregate of at least \$200,000, exclusive of legal defense costs.

(e) An owner or operator of more than one facility that operates pursuant to a standardized permit may meet the liability coverage requirements of this section by having and maintaining liability coverage at the level required for the facility that is regulated at the highest standardized permit series.

(f) An owner or operator of one or more facilities that operate pursuant to a standardized permit, who also owns or operates one or more facilities regulated pursuant to a hazardous waste facility permit, may meet the liability coverage requirements of this section by having and maintaining sudden liability coverage as required by section 66264.147(a).

(g) An owner or operator of one or more facilities that operate pursuant to a standardized permit, who also owns or operates one or more facilities that operates pursuant to interim status granted pursuant to Health and Safety Code section 25200.5 may meet the liability coverage requirements of this section by having and maintaining liability coverage as required by section 66265.147(a).

NOTE: Authority cited: Sections 25143.13, 25150, 25200.1, 25201.6, 25245, 58004 and 58012, Health and Safety Code. Reference: Sections 25143.13, 25150, 25200.1, 25200.5, 25200.9 and 25201.6, Health and Safety Code.

HISTORY

1. New section filed 9-29-93 as an emergency; operative 9-29-93 (Register 93, No. 40). A Certificate of Compliance

must be transmitted to OAL by 1-27-94 or emergency language will be repealed by operation of law on the following day.

2. Editorial correction of Note (Register 94, No. 3).

3. New section refiled 1-19-94 as an emergency; operative 1-19-94 (Register 94, No. 3). A Certificate of Compliance must be transmitted to OAL by 5-19-94 or emergency language will be repealed by operation of law on the following day.

4. Editorial correction adding History 3 (Register 94, No. 9).

5. New section refiled 5-23-94 with amendment of Note as an emergency; operative 5-23-94 (Register 94, No. 21). A Certificate of Compliance must be transmitted to OAL by 9-20-94 or emergency language will be repealed by operation of law on the following day.

6. New section refiled 9-19-94 with amendment of Note as an emergency; operative 9-19-94 (Register 94, No. 38). A Certificate of Compliance must be transmitted to OAL by 1-17-95 or emergency language will be repealed by operation of law on the following day.

7. Repealed by operation of Government Code section 11346.1(g) (Register 95, No. 10).

8. New section filed 3-8-95; operative 3-8-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 10).

9. Amendment of subsections (a)-(d), new subsections (e)-(h) and amendment of Note filed 10-19-98; operative 11-18-98 (Register 98, No. 43).

10. Change without regulatory effect repealing subsections (e)-(e)(2), relettering subsections and amending Note filed 11-15-99 pursuant to section 100, title 1, California Code of Regulations (Register 99, No. 47).

11. Change without regulatory effect amending first paragraph and subsections (e)-(g) filed 4-4-2002 pursuant to section 100, title 1, California Code of Regulations (Register 2002, No. 14).